

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:16-cr-00114-MR-WCM**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
DAVID MICHAEL DAKOSKI,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Defendant's "Request for Counsel to File for Compassionate Release" [Doc. 66].

The Defendant moves for the appointment of counsel to represent him in filing a motion for compassionate relief or for a reduction in sentence. The Defendant's request must be denied. If the Defendant wishes to seek any post-conviction relief, he must do so by filing a motion *pro se*. The Defendant has no constitutional right to the appointment of counsel to file post-conviction motions. Lawrence v. Florida, 549 U.S. 327, 336-37 (2007) (citing Coleman v. Thompson, 501 U.S. 722, 756-57 (1991)); Rouse v. Lee, 339 F.3d 238, 250 (4th Cir. 2003), cert. denied, 541 U.S. 905 (2004) (citing


Pennsylvania v. Finley, 481 U.S. 551, 555-56 (1987) (no constitutional right to counsel beyond first appeal of right)).

The Court may, in some circumstances, appoint counsel to represent a prisoner when the interests of justice so require and the prisoner is financially unable to obtain representation. See 18 U.S.C. § 3006A(a)(2)(B). In the instant case, however, the Defendant has failed to demonstrate that the interests of justice warrant the appointment of counsel. See United States v. Riley, 21 F. App'x 139, 141-42 (4th Cir. 2001).

IT IS, THEREFORE, ORDERED that the Defendant's "Request for Counsel to File for Compassionate Release" [Doc. 66], is **DENIED**.

IT IS SO ORDERED.

Signed: August 24, 2020



Martin Reidinger
Chief United States District Judge

